

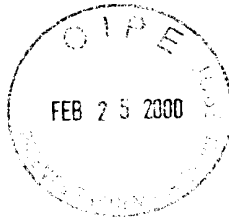
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Nehls *et al.*

Serial No.: 09/417,522

Filed: October 13, 1999

For: NOVEL HUMAN POLYNUCLEOTIDES
AND POLYPEPTIDES ENCODED
THEREBY



Group Art Unit: 1643

Examiner: not yet assigned

Attorney Docket No.:
8535-027-999

**RESPONSE TO NOTICE OF MISSING PARTS
OF APPLICATION - FILING DATE GRANTED**

BOX: Missing Parts

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

In response to the "Notice Of Missing Parts Of Application - Filing Date Granted" mailed by the U.S. Patent and Trademark Office on November 5, 1999, Applicants submit the following documents to complete the filing for the above-identified application:

1. A Declaration and Power of Attorney signed by the inventors in compliance with 37 CFR 1.63;
2. Return copy of Notice to File Missing Parts of Application - Filing Date Granted.

Applicants also submit herewith the following document for the above-identified application:

3. Response to Notice to Comply With Requirements For Patent Application Containing Nucleotide Sequence And/Or Amino Acid Sequence Disclosures;
4. Computer-readable and paper copies of Sequence Listing;

5. Return copy of Notice to Comply With Requirements For Patent Application Containing Nucleotide Sequence And/Or Amino Acid Sequence Disclosures;
6. A Joint Assignment executed by the inventors and Recordation Form Cover Sheet Patents Only.

The U.S. Patent and Trademark Office is hereby authorized to charge the following fees to Pennie & Edmonds LLP Deposit Account No. 16-1150:


| | |
|---|-------------------------|
| 1. The statutory basic filing fee | \$ 760.00 |
| 2. Extra fee for 1 independent claim | \$ 78.00 |
| 3. Surcharge Fee for filing declaration on a date later than the filing date of the application per 37 CFR 1.492(e) | <u>\$ 130.00</u> |
| TOTAL | \$ 968.00 |

The Commissioner is hereby authorized to charge any additional fees associated with this paper communication or credit any overpayment to Deposit Account No. 16-1150.

The documents submitted complete the filing of the above-identified patent application and justify the filing date of October 13, 1999. This form is being submitted in duplicate.

Respectfully submitted,

Date: February 25, 2000


Atulya R. Agarwal 40,887
(Reg. No.)

For: Laura A. Coruzzi
Reg. No. 30,742

PENNIE & EDMONDS LLP
1155 Avenue of the Americas
New York, New York 10036-2711
(212) 790-9090



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

#4

| APPLICATION NUMBER | FILING/RECEIPT DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NO./TITLE |
|---|---------------------|-----------------------|---------------------------|
| 09/417,522 | 10/13/99 | NEHLS | M 8535-027-999 |
| 0232/1105 | | | NOT ASSIGNED |
| PENNIE & EDMONDS LLP 1155 AVENUE OF THE AMERICAS NEW YORK NY 10036-2711 | | | 1643 |
| DATE MAILED: | | | 11/05/99 |

NOTICE TO FILE MISSING PARTS OF APPLICATION
Filing Date Granted

An Application Number and Filing Date have been assigned to this application. The items indicated below, however, are missing. Applicant is given TWO MONTHS FROM THE DATE OF THIS NOTICE within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). If any of items 1 or 3 through 5 are indicated as missing, the SURCHARGE set forth in 37 CFR 1.16(e) of \$65.00 for a small entity in compliance with 37 CFR 1.27, or \$130.00 for a non-small entity, must also be timely submitted in reply to this NOTICE to avoid abandonment.

If all required items on this form are filed within the period set above, the total amount owed by applicant as a
☐ small entity (statement filed) ☒ non-small entity is \$ 130

- ☐ 1. The statutory basic filing fee is:
☐ missing.
☐ insufficient.

Applicant must submit \$ _____ to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).

- ☐ 2. The following additional claims fees are due:

\$ _____ for _____ total claims over 20.

\$ _____ for _____ independent claims over 3.

\$ _____ for multiple dependent claim surcharge.

Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

- ☒ 3. The oath or declaration:

☒ is missing or unsigned.

☐ does not cover the newly submitted items.

An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date is required.

- ☐ 4. The signature(s) to the oath or declaration is/are by a person other than inventor or person qualified under 37 CFR 1.42, 1.43 or 1.47.

A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

- ☐ 5. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

- ☐ 6. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.21(m)).

- ☐ 7. Your filing receipt was mailed in error because your check was returned without payment.

- ☐ 8. The application was filed in a language other than English.

Applicant must file a verified English translation of the application, the \$130.00 set forth in 37 CFR 1.17(k), unless previously submitted, and a statement that the translation is accurate (37 CFR 1.52(d)).

- ☐ 9. OTHER:

Direct the reply and any questions about this notice to "Attention: Box Missing Parts."

A copy of this notice MUST be returned with the reply.

Customer Service Center
Initial Patent Examination Division (703) 308-1202

03/02/2000 MAILING 00000048 161150 09417522
01 FC:101 760.00 CH
02 FC:102 78.00 CH

BEST AVAILABLE COPY



**UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office**

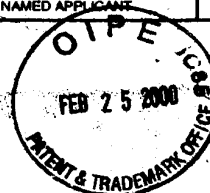
Address: COMMISSIONER OF PATENTS AND TRADEMARK
Washington, D.C. 20231

| APPLICATION NUMBER | FILING/RECEIPT DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NO./TITLE |
|--------------------|---------------------|-----------------------|---------------------------|
|--------------------|---------------------|-----------------------|---------------------------|

09/417,522 10/13/99 NEHLS

0232/1105

PENNIE & EDMONDS LLP
1155 AVENUE OF THE AMERICAS
NEW YORK NY 10036-2711



M 8535-027-999

NOT ASSIGNED

1643

DATE MAILED: 11/05/99

**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS
CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES**

An Application Number and Filing Date have been assigned to this application. The items indicated below, however, are missing. Applicant is given TWO MONTHS FROM THE DATE OF THIS NOTICE within which to file a sequence listing in compliance with 37 CFR 1.821 - 1.825 to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 CFR 1.821 - 1.825 for the following reason(s):

- ☐ 1. This application fails to comply with the requirements of 37 CFR 1.821 - 1.825.
- ☐ 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 CFR 1.821(c).
- ☒ 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e).
- ☐ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. The content of the computer readable form, however, does not comply with the requirements of 37 CFR 1.822 and/or 1.832, as indicated on the attached marked-up copy of the "Raw Sequence Listing."
- ☐ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A substitute computer readable form must be submitted as required by 37 CFR 1.825(d).
- ☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 CFR 1.821(e).
- ☐ 7. OTHER:

APPLICANT MUST PROVIDE:

- ☐ An initial or substitute computer readable form (CRF) copy of the "Sequence Listing."
- ☐ An initial or substitute paper copy of the "Sequence Listing," as well as an amendment directing its entry into the specification.
- ☒ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b) or 1.825(d).

FOR QUESTIONS REGARDING COMPLIANCE WITH THESE REQUIREMENTS, PLEASE CONTACT:

- ☐ For Rules Interpretation, call (703) 308-1123.
- ☐ For CRF submission help, call (703) 308-4212.
- ☐ For PatentIn software help, call (703) 308-6856.

Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 2-COPY TO BE RETURNED WITH RESPONSE